

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 12/15/2011

Action Requested By:
Community
Development

Agenda Item Type
Ordinance

Subject Matter:

Property Assessment

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 39 properties listed. All procedural requirements for declaring, removing and billing the grass cutting and clean-up has been completed in accordance with The City of Huntsville Code of Ordinances, Chapter 27, Article III. As a result of nonpayment by a stipulated date, the property owner has also been notified that an assessment will be placed on the property at the June 23, 2011 City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 12/5/2011

RESOLUTION NO: 11- _____

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has executed all procedural requirements contained in the City of Huntsville Code of Ordinances, Chapter 27, Article III entitled "'Weeds and Overgrown Grass'"; and

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has determined a nuisance to exist upon, in front of, or on property hereinafter more particularly identified; and

WHEREAS, the nuisance was subsequently removed by the City and the owner was mailed a copy of the report of cost of removal and notified by letter that an assessment would be placed against subject property for nonpayment of removal cost by a stipulated date; and

WHEREAS, it appears that all things necessary and proper have been done to make final the assessment against the property for the cost of abating the nuisance and that the stipulated date for payment of removal has expired on the property hereinafter described.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama, that the City Clerk-Treasurer hereby assesses the cost of abating the nuisance against the described property listed in Attachment A of this Resolution in the amounts indicated; AND, that the City Clerk-Treasurer is hereby authorized, requested and directed to levy the amount of such assessments against the property indicated and to collect the same in the same manner as other assessments are collected.

BE IT FURTHER RESOLVED, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to file in the Office of the Judge of Probate of Madison County, Alabama, a lien instrument known as "Notice of Property Assessment, City of Huntsville - **Ordinance No. 86-294**" on all properties listed in Attachment A of this Resolution, in the amounts indicated plus any recording or filing fees and plus any legal late penalty fees as determined by the Division of Community Development of the City of Huntsville, Alabama.

ADOPTED this the _____ day of _____, 2011

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the _____ day of _____, 2011

Mayor of the City of Huntsville, Alabama

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
(Heirs of) Beatrice Grizzard aka Beatrice Hampton (Deceased) c/o Alma Jones Acklin c/o Sonja Lynn Acklin 2106 Seminole Dr. Huntsville, AL 35805	2851 Greenside Dr NW LOT 26 BLK 4 COUNTRY CLUB PARK S/D	11-1-2011	\$210.72
ADTEC PROPERTIES LLC. Hall B. Bryant III 423 Eustis Ave. Huntsville, AL 35801	Vacant lot at the northeast corner of Lodge Rd and Durinda Ln NW LOT 10 BL 5 GROVE PARK 1ST ADD PB 5 PG 125	10-31-2011	\$210.72
Bellsouth Mobility LLC, d/b/a Cingular Wireless P. O. Box 97061 Redman, WA 98073	212 Crawford St NW LOT 14 BROWN & WINSTON ADD	10-21-2011	\$259.91
Benny & Diana Nicholson 813 West Arbor Dr., NW Huntsville, AL 35811	813 West Arbor Dr NW LOT 7 BLK 1 PEARSALL GARDENS	11-2-2011	\$228.94
Calhelber Properties, LLC c/o Glenn Fairley 285 Camion Pablo Orinda, CA 94563	2900 Wilson Dr NW LOT 16 BLK 1 SUB: TERRY HGTS ANNEX 3RD ADD PB 1 PG 178	11-1-2011	\$210.72

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Attachment A, Page 2

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Carrie M. Wiggins & Leo G. Wiggins 10101 Memorial Pky., N Huntsville, AL 35810	10101 MEMORIAL PKY N TRACT 2 MILAM ADDITION	10-18-2011	\$271.44
Cody W. Matjazic 2701 Peel St., SW Huntsville, AL 35805	2701 Peel St SW LOT 1 BL 2 BELMONT ADD PB 1 PG 331	10-21-2011	\$259.91
Dana S. Fletcher 4607 Whitehall Dr. Huntsville, AL 35816	6415 Flo Dr NW LOT 3 BLK 1 THISTLEDOWNE S/D PH I PB 17 PG 47	10-26-2011	\$210.72
Deborah Odumosu 3300 Claiborne Rd., NW Huntsville, AL 35810	3300 Claiborne Rd NW LOT 2 BLK 15 DAVIS HILLS S/D 4TH ADD PB 2 PG 215	10-10-2011	\$259.91
Dorothy L. Collins 231 Victory Ln., NE Huntsville, AL 35811	231 Victory Ln NE LOT 17 BL H EDMONTON HGTS PT A	10-31-2011	\$197.97
ERW, LLC c/o Carl D. Reed P. O. Box 2 Ryland, AL 35767	Vacant property at northwest corner of Old Gurley Rd and Barkwood Dr NE LOT 1 BLK 1 CHASE SHADOW PB 21 PG 65	10-5-2011	\$332.16

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Attachment A, Page 3

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Eun Shil & Young Ja Chung 3737 Castle View Ct. Sewanee, GA 30024	9010 Bailey Cove Rd SE ALL THAT PT OF SEC 32 DESC AS BEG AT A PT N 57.50 FT W 260.000 FT N 150.00 FT E 200.00 FT & N 319.86 FT FR THE CEN OF THE E BDY OF SD SEC 32 SD PT IS FUR DES CAS BEING ON THE W R/O/W OF BAILEY COVE RD TH ALG SD RD R/O/W N 150.00 FT TH LEAV SD R/O/W W 150.00 FT TH S 150.00 FT THE E 150.00 FT TO PT OF TR BEG SEC 32 T4 R1E	10-25-2011	\$259.91
Farrell A. Bryan 3303 Pulaski Pike NW Huntsville, AL 35810	3303 Pulaski Pke NW BEG AT SE COR OF LOT 1 BL 3 KATHERINE ACRES TH W WDLY 150 FT TH S WDLY 138 FT TH E WDLY 138 FT TO BEG SEC 22 T3 R1W	10-5-2011	\$275.88

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LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Frank H. Costant 2230 Jonathan Dr., NW Huntsville, AL 35810	2230 Jonathan Dr NW ALL THAT PART OF THE NE1/4 OF SEC 23 BEG AT THE SE COR OF THE T/P/OB DESC AS BEING N 14 DEG W 113.85 FT & N 89 DEG W 49.86 FT FR THE SE COR OF LOT 3 LAKEWOOD PARK S/D TH FR THE T/P/O/B S 51 DEG W 84.19 FT TO A PT ON A CURVE TH WI A CH BEAR & DIS OF N 65 DEG W 44.74 FT TH N 02 DEG W 124.71 FT TO THE N BDRY OF SD LOT 3 TH ALG THE N BDRY OF SD LOT 3 N 89 DEG E 95.50 FT TO A PT WHI IS THE NE COR OF LOT 3 TH ALG THE E BDRY S 09 DEG E 92.30 FT TO THE T/P/O/B & CONTA .289AC M/L SEC 23 T3 R1W	11-2-2011	\$197.97
George H. Robinson (Estate Of) c/o Michael & Maurice & Cheryl Arlene Robinson P. O. Box 710703 Houston, TX 77271	3807 Crane Dr NE LOT 29 BLK D EDMONTON HEIGHTS PART A	10-10-2011	\$197.97
Gerald Coats 1215 Buford St. Huntsville, AL 35801	Vacant lot south of 1204 Grace St NW LOT 27 BLK G RESUB OF LOTS 43-47 BL H THE S 1/2 OF LOT 20 ALL OF LOTS 21-34 & S 1/2 OF LOT 35 BL G DEMASTER BUFORD S/D PB 2 PG 202	11-2-2011	\$210.72

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Hilton H. & Brenda J. Banks 3803 Timbercrest Dr., NW Huntsville, AL 35810	3803 Timbercrest Dr NW LOT 13 BL 37 LAKEWOOD MANOR 8TH ADD SURV DB 953/985 9/1/99	10-31-2011	\$259.91
Jameah K. Sullivan 612 Greenfield Dr., NW Huntsville, AL 35811	612 Greenfield Dr NW Lot 5, Blk C, Sub: Eastbrook Meadows	10-31-2011	\$197.97
John David Harris 1428 Cavalry St., NW Huntsville, AL 35816	1519 Cavalry St NW Lot 10, Blk 4, Wells 2nd Add	10-25-2011	\$210.72
John David Harris 1428 Cavalry St., NW Huntsville, AL 35816	1521 Cavalry St NW LOT 11 BL 4 WELLS 2ND ADD PB 1 PG 115	10-25-2011	\$210.72
John David Harris 1428 Cavalry St., NW Huntsville, AL 35816	1525 Cavalry St NW LOT 12 BLK 4 WELLS 2ND ADD	10-25-2011	\$210.72
John David Harris 1428 Cavalry St., NW Huntsville, AL 35816	1527 Cavalry St NW LOT 13 BLK 4 WELLS 2ND ADD PB 1 PG 115	10-25-2011	\$210.72

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LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Jonathan Bluespring, LLC 2217 Jonathan Dr. Huntsville, AL 35810	2227 Jonathan Dr NW PT OF LOT 2 LAKEWOOD PK S/D BEING PT OF NE 1/4 OF SEC 23 DES AS BEG AT NE COR OF SEC 23 TH S 30 FT N 87 DEG W 52.70 FT TH N 84 DEG W 93 FT S 9 DEG E 200 FT W 313 FT S 14 DEG E 292.39 FT WH IS SW COR OF LOT 3 LAKEWOOD PK TH FR BEG S 14 DEG E 70 FT N 75 DEG E 150 FT TO W MAR OF JONATHAN DR TH N 14 DEG W 57.09 FT TO PT OF A CUR TO LEFT A RAD OF 100 FT TH CONT AL W MAR OF SD DR & AL A ARC OF SD CUR A DIST OF 12.95 FT TH S 75 DEG W 149.16 FT TO BEG CONT 10,496 SQ FT	11-2-2011	\$197.97
Kim & Su Hong Springer 3915 Drake Ave., SW Huntsville, AL 35805	3915 DRAKE AVE SW LOT 16 A W NEWSON & ED PENNY MERRIMACK ADD COMM AT NW COR OF LOT 16 TH S 10 FT TO A PT SD PT BEING THE NE COR OF INT OF PENNY ST & DRAKE AVE TH E ALG S MAR OF SD DRAKE AVE A DIS OF 200 FT TO THE POB TH FR THE POB E & ALG S MAR OF THE SD DRAKE AVE A DIS 50 FT TH S 140 FT TH W 50 FT TH N 140 FT TO POB	10-6-2011	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Leo M. Moreno 1011 Sunset Hills Ln. Redlands, CA 92373	4501 Sparkman Dr NW LOT 1 BL 13 PARKWOOD EST S/D	11-1-2011	\$228.94
Lucius T. & Joy A. Moss 4302 Chalet Cir., NW Huntsville, AL 35810	Vacant lot at southeast corner of Lodge Rd and Delicado Dr NW (3221 Delicado Dr NW) LOT 1 BLK 5 GROVE PARK 2ND ADD SUV DB 705/1135 11/12/87	10-6-2011	\$210.72
Luella Crawford 3818 Crane Dr., NE Huntsville, AL 35811	3818 Crane Dr NE LOT 10, IN BLOCK E, ACCORDING TO THE PLAT OF EDMONTON HEIGHTS SUBDIVISION, PART A, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 2 AT PAGE 52.	10-10-2011	\$259.91
Marcel D. Menelas, Sr. 4409 McClain Ln., NW Huntsville, AL 35810	4409 McClain Ln NW LOT 14 BLK A HIGHLAND EST	11-1-2011	\$259.91
Margaret L. Seagroves, Life Estate 2802 Mallory Ave NW Huntsville, AL 35810	2802 Mallory Ave NW LOT 2 BLK F COUNTRY CLUB ESTS	10-18-2011	\$228.94

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Michael W. Deegan 103 Winchester Rd. Huntsville, AL 35811	Second vacant lot north of 4701 Meridian St NW TR 2 LOT 2 BLK 2 HVILLE IND PARK BEG AT PT ON W MAR OF MERIDIAN ST R/O/W FUR DESC AS E 40 FT & N 569.85 FT FR CEN OF E BDY OF SE1/4 OF SEC 12 TH FR TRUE P/O/B W 200 FT TH N 100 FT TH E 200 FT TO PT ON W MAR OF MERIDIAN ST R/O/W TH S ALG SD R/O/W 100 FT TO TRUE P/O/B SEC 12 T3 R1W	10-26-2011	\$210.72
Michael W. Deegan 103 Winchester Rd. Huntsville, AL 35811	First vacant lot north of 4701 Meridian St NW TR 1 LOT 1 BLK 2 HVILLE INDUSTRIAL PARK BEG AT PT ON W MAR OF MERIDIAN ST R/O/W FUR DESC AS BEG T PT LOC W 40 FT N 483.85 FT FR CEN OF E BDY OF SE1/4 SEC 12 TH FR TR P/O/B W 200 FT TH N 84.90 FT TH E 200 FT TO PT ON W MAR OF MERIDIAN ST R/O/W TH S ALG SD R/O/W LINE 86 FT TO TRUE P/O/B SEC 12 T3 R1W	10-26-2011	\$210.72
Monique M. Packer 2909 Eighth Ave., SW Huntsville, AL 35805	2909 Eighth Ave SW LOT 5 BLK 149 PRATTS S/D & THE W 13 FT OF LOT 4 BLK 149 PRATTS S/D	10-31-2011	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Pensco Trust Company P.O. Box 192926 San Francisco, CA 94119-2926	2501 Autumn Ridge Dr SW LOT 1 BLK 1 AUTUMN RIDGE 3RD ADD, A RESUB OF AUTUMN RIDGE 3RD ADD WARR SURV DB 940/525 02/15/99	11-7-2011	\$197.97
Regions Bank P.O. Box 4320 Portland, OR 97208	Third vacant property south of 4010 Chris Dr SW LOT 2 NICHOLS COMMERCIAL PARK 3RD ADD	11-2-2011	\$332.16
Regions Bank P.O. Box 4320 Portland, OR 97208	Second vacant property south of 4010 Chris Dr SW LOT 2 NICHOLS COMMERCIAL PARK 2ND ADD PB 33 PG 36	11-7-2011	\$514.32
Robert & Vanessa Steger 3217 Delicado Dr., NW Huntsville, AL 35810	3217 Delicado Dr NW LOT 3 BLK 5 GROVE PARK 2ND	10-10-2011	\$259.91
Shawn Ethredge 3905 Gunnison Ln., NW Huntsville, AL 35810-	3905 Gunnison Ln NW LOT 12, BLK 21, HIGHLANDS S/D 6TH ADD	10-18-2011	\$197.97

RESOLUTION NO: 11-_____

Attachment A, Page 10

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Stillwaters, LLC c/o Luther L. Blalock 115 Bent Saddle St. Harvest, AL 35749	2619 Venetian Way NW LOT 16, BLOCK 8, ACCORDING TO THE MAP OR SURVEY OF GREEN HILLS SUBDIVISION, SEVENTH ADDITION, AS RECORDED IN MAP BOOK 4, PAGE 56, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA	10-5-2011	\$259.91
William M. McBride 679 Carters Grove Rd. Toney, AL 35773	11823 West Gateway Dr SE LOT 3 BLK 2 SUB: REDSTONE HEIGHTS	11-7-2011	\$197.97